

ORIGINAL

Before the
Federal Communications Commission
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In re Application of)

DAVID A. RINGER)

File No. BPH-911230MA

Application for Construction)
Permit for a new FM Station,)
Channel 280A, Westerville,)
Ohio)

TO: Chief, Mass Media Bureau

MOTION TO FILE FURTHER RESPONSE TO INFORMAL OBJECTION

David A. Ringer ("Ringer"), by his attorney, hereby submits a motion to file a further response to the informal objection of WTTF, Inc., licensee of station WTTF-FM, Tiffin, Ohio ("WTTF").

On September 11, 1992, WTTF filed an informal objection to the application of Ringer. Specifically, WTTF objected to Ringer's application because it is short-spaced to WTTF's facilities. In addition, WTTF alleged that Ringer had made no public interest showing to support the short-spacing request and that a grant of his application could limit WTTF's ability to relocate its tower site or modify its facilities. On September 15, 1992, Ringer filed a reply to the informal objection rebutting each of WTTF's arguments. On September 23, 1992, WTTF filed a reply to Ringer's pleading. In its reply, WTTF raised a new allegation pertaining to Ringer's application. WTTF now appears to be alleging that Ringer's proposal would exceed 3 kW in the direction of WTTF and that, in order to do so, WTTF's consent is required, which it will not grant. Ringer's

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Further Response shows that it does not exceed 3 kW in the direction of WTTF and accordingly WTTF's consent to Ringer's proposal is not sought nor required.

In light of this new allegation, Ringer respectfully requests that he be allowed to respond.¹

Respectfully submitted,
DAVID A. RINGER

By:


Arthur V. Belendiuk
His Attorney

SMITHWICK & BELENDIUK, P.C.
1990 M Street, N.W.
Suite 510
Washington, D.C. 20036
202-785-2800

RINGER/SCB/INFORMOBJ

¹ Ringer is simultaneously filing with this pleading a "Further Response to Informal Objection."

CERTIFICATE OF SERVICE

I, Shellyn C. Bowling, a secretary in the law firm of Smithwick & Belendiuk, P.C., certify that on this 28th day of September, 1992, copies of the foregoing were mailed, postage prepaid, to the following:

Roy J. Stewart, Esquire*
Chief, Mass Media Bureau
Federal Communications Commission
1919 M Street, N.W.
Room 314
Washington, D.C. 20554

John S. Neely, Esquire
Miller & Miller, P.C.
1990 M Street, N.W.
Suite 760
Washington, D.C. 20036



Shellyn C. Bowling

*by hand

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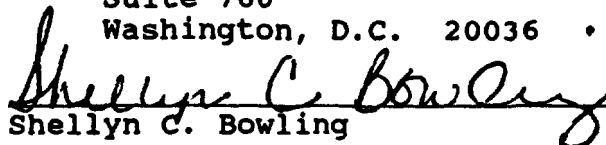
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